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Request 09/862.899 Application Number for May 22, 2001 Filing Date Continued Examination (RCE) Zafer Sahinoglu First Named Inventor **Transmittal** 2666 Art Unit Mail Stop RCE Kevin C. Harper Commissioner for Patents **Examiner Name** P.O. Box 1450 Alexandria, VA 22313-1450 MH-5075

Attorney Docket Number

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

| Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2. | | | | |
|--|--|---|---|--|
| 1. | Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s). | | | |
| | a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. | | | |
| | | i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on | | |
| | li. Other Amendment filed on June 26, 2006 | | | |
| | b. | Enclosed | | |
| | | I. Amendment/Reply iii. | nformation Disclosure Statement (IDS) | |
| | | ii. Affidavit(s)/ Declaration(s) iv. | Other | |
| 2. | Miscellaneous | | | |
| | Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a a. period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) | | | |
| | b. | Other | | |
| 3. | [- | The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 whe | n the RCF is filed | |
| J. | a. | The Director is hereby authorized to charge the following fees, any un Deposit Account No. 50-0749 . I have enclose | derpayment of fees, or credit any overpayments, to | |
| i | | i. RCE fee required under 37 CFR 1.17(e) | 61 FC:1801 790.00 DA | |
| | | ii. Extension of time fee (37 CFR 1.136 and 1.17) | | |
| | | iii. Other | | |
| | b. | Check in the amount of \$ | enclosed | |
| | c. Payment by credit card (Form PTO-2038 enclosed) | | | |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | |
| | | SIGNATURE OF APPLICANT, ATTORNEY, OR A | | |
| | nature | nt/Type) Clifton D. Mueller | Date October 31, 2006 Registration No. 57,836 | |
| | | CERTIFICATE OF MAILING OR TRANS. | 07,000 | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope | | | | |
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| Sig | ature | Clifton D. Theller | | |
| Nar | ne (Pri | t/Type) Clifton b . Mueller | Date October 31, 2006 | |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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- (g) being indicative that the factor is a modulator of the transmission of immunity to the one or more antigens from a female mammal to newborn mammals by consumption of milk from the female.
- **45.** (new) The method of Claim 44 wherein the one or more antigens causes a disease.
- 46. (new) The method of Claim 45 wherein the disease is cancer.
- 47. (new) The method of Claim 46, wherein the cancer is non-Hodgkin's lymphoma.
- 48. (new) The method of Claim 44 wherein immunizing the first female mammal against the one or more antigens involves inoculating the first female with T-25-Adh cells.
- 49. (new) The method of Claim 48, wherein comparing a level of immunity to the one or more antigens in the first group of newborns with a level of immunity to the one or more antigens in a second group of newborns is performed during or after termination of consumption of the milk obtained from the first or second lactating female.
- 50. (new) The method of Claim 44, wherein the factor is selected from the group comprising:
 - (a) an environmental factor;
 - (b) a chemical compound or a mixture of chemical compounds;
 - (c) a biological macromolecule;
 - (d) air pollutants
 - (e) direct or indirect cigarette smoke or smoke extracts;
 - (f) extreme oxygen pressures;
 - (g) ultraviolet or radioactive irradiation;
 - (h) radiation produced by cellular phones or communication antennas;

- (i) a drug or pharmaceutical;
- (j) an agricultural agent;
- (k) an insecticides or pesticide
- (l) a toxin;
- (m) lead
- (n) an agent of chemical warfare;
- (o) a food additives;
- (p) a nutritional factor
- (q) a vitamin or dietary mineral;
- (r) a psychological factor
- (s) a stress causing or relaxing factor.
- 51. (new) The method of Claim 49, wherein comparing a level of immunity to the one or more antigens in the first group of newborns with a level of immunity to the one or more antigens in a second group of newborns involves inoculation the first and second group of newborns with a tumorigenic cell line.
- **52.** (new) The method of Claim 51, wherein said tumorigenic cell line comprises Rev-2-T-6 cells.
- 53. (new) A method for determining whether a factor is a modulator of the transmission of immunity to non-Hodgkin's lymphoma from a from a female Balb/C mouse to newborn mammals by consumption of milk from the female Balb/C mouse, the method comprising:
 - (a) inoculating a first female mouse with T-25-Adh cells so as to immunize the first female mouse to the non-Hodgkin's lymphoma;
 - (b) exposing the first female mouse to the factor;
 - (c) causing the first female mouse to lactate;
 - (d) allowing a first group of one or more newborn Balb/C mice to consume milk obtained from the first lactating mouse;

- (e) inoculating the first group of newborn mice with a tumorigenic Rev-2-T-6 cell line which is capable of infiltrating into the eye, the central nervous system (CNS) of the first group of newborn, or to develop to systemic lymphoma; and
- (f) comparing a level of immunity to the in the first group of newborns with a level of immunity to the non-Hodgkin's lymphoma in a second group of newborns that consumed milk from a second lactating female Balb/C mouse that was immunized against the non-Hodgkin's lymphoma but not exposed to the factor, a difference between the level of immunity to the non-Hodgkin's lymphoma in the first group of newborns and the level of immunity to the non-Hodgkin's lymphoma in the second group of newborns being indicative that the factor is a modulator of the transmission of immunity to the non-Hodgkin's lymphoma from a female Balb/C mouse to newborn Balb/C mice by consumption of milk from the female.
- 54. (new) The method of Claim 53, wherein said factor is selected from the group comprising:
 - (a) an environmental factor;
 - (b) a chemical compound or a mixture of chemical compounds;
 - (c) a biological macromolecule;
 - (d) air pollutants
 - (e) direct or indirect cigarette smoke or smoke extracts;
 - (f) extreme oxygen pressures;
 - (g) ultraviolet or radioactive irradiation;
 - (h) radiation produced by cellular phones or communication antennas;
 - (i) a drug or pharmaceutical;
 - (i) an agricultural agent;
 - (k) an insecticides or pesticide

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- (l) a toxin;
- (m) lead
- (n) an agent of chemical warfare;
- (o) a food additives;
- (p) a nutritional factor
- (q) a vitamin or dietary mineral;
- (r) a psychological factor
- (s) a stress causing or relaxing factor.